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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DIANA VAN BREE, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
JT4, LLC, a Delaware Limited )  
Liability Company, )  
 )  
Defendant. )

Case No. 2:20-cv-00788-CDS-VCF

DIANA VAN BREE, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
FRANK KENDALL III, SECRETARY, )  
UNITED STATES AIR FORCE, )  
 )  
Defendant. )

Case No. 2:20-cv-01038-CDS-VCF

**STIPULATION AND ORDER TO STAY  
DISCOVERY (FIRST REQUEST) AND  
TO REFER CASES TO SETTLEMENT  
CONFERENCE**

1 IT IS HEREBY STIPULATED, pursuant to Local Rules 7-1, IA 6-1, and IA 6-2 of the  
2 Local Rules of Practice, by and between Plaintiff DIANA VAN BREE, by and through her  
3 undersigned counsel, Defendant JT4, LLC, by and through its undersigned counsel, and Defendant  
4 FRANK KENDALL III, SECRETARY, UNITED STATES AIR FORCE, by and through its  
5 undersigned counsel, hereinafter referred to collectively as “THE PARTIES,” hereby agree and  
6 stipulate to the following:  
7

- 8 1. The PARTIES hereby request to have the above-captioned cases referred for a Settlement  
9 Conference with UNITED STATES MAGISTRATE JUDGE CAM FERENBACH in an  
10 effort to reach a global resolution in the above-captioned cases. Given that discovery in  
11 these cases is anticipated to implicate classified, sensitive, and restricted unclassified  
12 information, which is anticipated to require court intervention to resolve, the PARTIES are  
13 interested in working in good faith to globally resolve the matter prior to embarking on  
14 extensive discovery. The PARTIES believe that a Settlement Conference with Magistrate  
15 Judge Ferenbach would benefit settlement discussions provided Magistrate Judge  
16 Ferenbach’s familiarity with the facts and law at issue in the above-captioned cases.  
17
- 18 2. The PARTIES also stipulate to and request a STAY of all remaining PRETRIAL  
19 DEADLINES while scheduling and participating in a Settlement Conference. By Order on  
20 October 7, 2020, this Court GRANTED the STIPULATED DISCOVERY PLAN AND  
21 SCHEDULING ORDER, which set the discovery cut-off date for April 12, 2021. (ECF No.  
22 20). By Orders dated March 22, 2021 (ECF No. 39), June 14, 2021 (ECF No. 44), and  
23 August 12, 2021 (ECF No. 48), this Court GRANTED Stipulations to Extend Discovery  
24 Deadlines on three separate occasions. This Court, by Order on September 16, 2021 (ECF  
25 No. 58), GRANTED in PART and DENIED in PART Defendant JT4, LLC’s Emergency  
26  
27  
28

1 Motion For Protective Order Or, Alternatively, To Stay Discovery Pending Joinder of A  
2 Necessary Party (ECF No. 49), whereby the Court STAYED Discovery for Six (6) Months,  
3 and by subsequent Orders in response to requests for extension, continued the STAY of  
4 Discovery. On November 11, 2022, Defendant UNITED STATES AIR FORCE filed its  
5 Answer, and on January 17, 2023, this Court GRANTED the PARTIES Stipulation to  
6 Consolidate Related Cases Pursuant to FRCP 42(a) and LR 42-1(b) and ORDERED that  
7 Case No. 2:20-cv-00788-CDS-VCF serve as the lead case. (ECF No. 72). By Order issued  
8 on February 22, 2023, this Court GRANTED the PARTIES JOINT DISCOVERY PLAN  
9 AND SCHEDULING ORDER PURSUANT TO COURT ORDER (ECF NO. 75) and set  
10 the discovery cut-off date for October 16, 2023. (ECF No. 77).  
11

12  
13 3. This is the FIRST stipulation for modification of the February 22, 2023 JOINT  
14 DISCOVERY PLAN AND SCHEDULING ORDER PURSUANT TO COURT ORDER  
15 (ECF NO. 75) subsequent to the consolidation of the above-captioned cases and is made for  
16 good cause. The PARTIES believe temporarily refraining from continued discovery  
17 practice and any anticipated motions practice while the parties discuss settlement will  
18 provide the best potential for global resolution of the above-captioned cases.  
19

20 4. In the event settlement is unsuccessful, the PARTIES agree to meet and confer, and submit  
21 a REVISED JOINT DISCOVERY PLAN AND SCHEDULING ORDER for this Court's  
22 consideration and approval by no later than twenty-one (21) days following the conclusion  
23 of any scheduled Settlement Conference.  
24

25 Accordingly, the PARTIES hereby request that all remaining PRETRIAL DEADLINES in  
26 the above-captioned matters be STAYED and that the matters be REFERRED TO MAGISTRATE  
27 JUDGE FERENBACH for a SETTLEMENT CONFERENCE at the Court's earliest convenience.  
28

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DATED: August 29, 2023

/s/ James P. Kemp

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**ORDER**

IT IS SO ORDERED September 14, 2023

  
\_\_\_\_\_  
U.S. District Judge/Magistrate Judge